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ABSTRACT

This paper presents a proposal for a modified school choice program that may serve as a public policy compromise to the current politicized and entrenched choice or no-choice positions. The Three Year-Three Step Performance Guarantee involves both choice and vouchers. The use of vouchers, however, is not directed at reforming schools, but at helping parents in a democratic society fulfill their obligation to educate their children to their fullest potential. The paper challenges the view of educational vouchers as reform strategies and argues that choice and vouchers are more properly tools to help specific children for whom the public schools are not working. The proposal is a modified choice program that allows parents of low-achieving students to find schools in which their children can succeed. It is based on three steps: first, any child who attends a public school for at least three consecutive years should perform at specified standards in basic skills; second, parents of low-achieving students are given a choice: either enroll their child in another public school in their community or receive a needs-based scholarship voucher so their child can attend either a public school in another community or a private (nonreligious) school; and third, the new school will be given the same 3-year period to raise the child's performance to standard. If the school does not succeed, the voucher is terminated. It is argued that the proposal assists low-achieving students most in need of acquiring a good education; protects the rights of children; protects the rights of the state to ensure an educated citizenry; eliminates the threat of dismantling the public schools; and introduces accountability for performance. Contains 31 references. (LMI)

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QUALITY EDUCATION NOT SCHOOL REFORM: A MODIFIED CHOICE PROPOSAL

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Assistant Director for Policy Development and Research
Boston Redevelopment Authority

Presented at
The Seventeenth Annual Conference of the Eastern Educational Research Association
Sarasota, Florida
February 11, 1994

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Purpose

This paper presents a proposal for a modified school choice program that may serve as a public policy compromise to the current politicized and entrenched choice or no-choice positions. This proposal, called the Three Year - Three Step Performance Guarantee, involves both choice and vouchers. Their use, however, is not directed at reforming schools, but more appropriately at helping parents in a democratic society fulfill their obligation to educate their children to their fullest potential. The terms 'choice' and 'voucher' have generated a great deal of political and social controversy as strategies to reform the institution of public schools. This paper challenges that view and seeks to defuse the controversy by arguing that choice and vouchers are more properly tools to help specific children for whom the public schools are not working. School reform becomes secondary to student performance in this strategy.

Background

The dispute over choice as an educational reform strategy has been emotional - - driven in the extreme by one side which has lost faith in public schools and sees no redemption for public education, and thwarted by the other side which only seeks to protect the status quo, as if it were inscribed on some ancient tablet.

For the most part, choice proposals have been offered as a school reform strategy based on free market assumptions. Little direct argument has been made that choice improves the educational lot of the individual child. By offering choice, parents would have a chance to vote with their feet, and schools would be encouraged to improve enough to attract their customers or

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go out of business (Chubb & Moe, 1990). In contrast, educational choice has not been presented as a fundamental right of the individual in a democratic society to be used to fulfill his/her potential without interference from the state. The right of the state to protect its interests in education over the rights of the individual to choose the form of education each believes is best has dominated American education (Kane, 1992). Since the establishment of the "one best system,"[1] the assumption that state authority prevails over individual educational interests has become ingrained in our way of thinking about education. This view is the basis of current school reform efforts and has made it difficult for individuals to find alternatives to public schools as the only method of delivering public education.

By placing so much focus on choice as a strategy to change schools, the proponents of choice have found a huge enemy in the institutional bureaucracy in the public schools (Overwhelming choice, 1993; The 'evil' in California, 1992; Dougherty & Sostre, 1992). And the resistance is understandable. Why would a monopoly that has controlled the system for so many years want to lose its control and the jobs and power that go with it? At the same time by focusing on schools and not on students, choice proponents have lost their strongest ally in parents whose principal concern is finding the best education for their children, not in reforming schools.

I believe that choice should more properly and more productively be viewed as a strategy to improve the education of the individual child and not to reform schools. A defining principle of our democratic form of government is that individual rights supersede the rights of the state, unless the state can demonstrate that expression of those rights interferes with the rights of others or detracts from the common good. Therefore, the focus of choice should be on protecting the rights of a child to receive the type and quality of education that each believes will prepare him/her to be a productive member of society. School reform, should it occur, is viewed as a side-effect to this strategy. In addition, we must begin to divorce ourselves from the dogma that public education can only be delivered by public schools, especially if those schools are failing large proportions of our children.

The proposal discussed in this paper attempts to balance the rights of the state in ensuring a properly educated citizenry with the rights of the individual to an educational setting that works for him/her, without doing harm to the public school system where it continues to serve children effectively.

Proposal

The Three Year - Three Step Performance Guarantee is a modified choice program that allows parents of low achieving students to find schools in which their children can succeed.

The Guarantee Program has three steps:

1. Any child who attends a public school for at least three consecutive years should perform at specified standards in basic skills.
2. If the child's performance does not meet established standards, the parents should be given a choice: either to enroll their child in another public school in their own community, or to receive a needs-based scholarship voucher so that their child can attend either a public school in another community or a private (non-religious) school. The scholarship voucher, based upon parent's income, would be on a sliding scale of 25% to 75% of the per pupil cost in the student's home district, or 100% of the receiving school's tuition, whichever is lower.
3. If parents accept a scholarship voucher, the new school chosen by the parents will be given the same three year period to raise the child's performance up to standard. If the new school succeeds, the scholarship voucher continues. If the new school does not succeed, the public has no obligation to continue to fund failure. The scholarship voucher ends, and the parents have a choice of maintaining their child in that or any other school at their own expense or returning their child to a school in their home community.

Discussion

Educational reform should focus on the child, not the institution. If choice is a relevant

strategy, it is because the choice results in a better education for the child. Parents want to choose because they are interested in seeing that their children get a good education, not in improving a school. If school improvement results from this strategy, it is an important side-effect, but not the principal reason for offering choice to parents.

The Three Year - Three Step Guarantee proposal is based on the premises that it is not only unfair, but probably immoral, to keep children trapped in schools that are failing to educate them, and that parents of low achieving students have a right in a democratic society to find public or private schools in which their children can succeed.

Schools fail large proportions of students

At the end of the 1991-92 school year, standardized test results in the Boston Public Schools revealed that, excluding the city's three exam schools, 66% of the graduates were reading below the 40th percentile. In fact, in every district high school but one, the majority of seniors scored below the 40th percentile, and in two high schools the count rose to 75% (Office of Research and Development, 1992). At the end of 1992-93, the results were essentially the same, with the mean reading score for the graduates in one high school sinking to the 18th percentile (Paige, 1993). The results continue a long term trend that has been intractable through at least three "reform" superintendents in Boston in the last 12 years, and Massachusetts' first education reform effort in 1985 (An Act Improving The Public Schools Of The Commonwealth). In fairness to the Boston Public Schools, results similar to these are found in urban systems nationwide.

(Now I don't have to remind this audience about the weaknesses of standardized test scores. They don't mean everything, but they do mean something. Results that show three-quarters of high school graduates reading below the 40th percentile or schools whose graduates average at the 18th percentile cannot be overlooked, no matter what one thinks of standardized tests.)

In "The Third Bracey Report on the Condition of Public Education" (1993), Gerald Bracey

argues fervently and persuasively that public education is not as bad as it is routinely portrayed in the popular press. Yet Bracey admits that: "...the top third of our students are world class, however one defines that squishy concept; the second third are not in any serious academic trouble; ***the bottom third are in terrible shape***" (1993, p. 109, emphasis added). In addition, he states that: "The Second Bracey Report accentuated the raging needs of city schools and the even more intractable problems of the largely invisible rural poor. The ensuing year provided additional evidence - - as if any were needed - - that our cities are in dire straits" (Bracey, 1993, pp. 110-111).

Benefits

The Three Year - Three Step Guarantee is a modified choice proposal that serves as a compromise to the extreme choice and voucher proposals currently under discussion as school reform measures. The compromise defines choice more properly as a strategy to improve the education of the individual child as opposed to reforming schools. It seeks to turn the argument away from protecting the institution of public schools to one which protects the rights of children to a quality education. This compromise proposal also eliminates the threat that students by the thousands will flood from one city or town to another, causing much confusion and disrupting school budgets. The compromise proposal offered here combines the beneficial flexibility of choice while maintaining some of the stability of the current system. It balances the right of the state to require proper education of its citizens with the right of the individual to an education that works for him/her. The Guarantee proposal also differs from other choice/voucher proposals by requiring accountability in return for public funding. Traditional choice plans recognize that parents and students have rights but ask nothing from them in terms of responsibilities. The compromise choice plan suggested here recognizes the right of parents and students to choose a school of preference while at the same time making them responsible for the way they make use of taxpayer money.

This proposal will not adversely affect schools which are working, while offering hope to parents and students in schools which do not work for them. Where schools are working, there's little need to change, so few people are likely to take advantage of the program. Where schools work for most students, there should be no need for change for the students who are successful. ***But, where a school is not working for an individual child, parents should have a choice to find a school where their child can learn.***

The Guarantee proposal is not a standard "Republican" voucher plan. The argument against such voucher plans is that they spend taxpayers' money unnecessarily. That is, they are directed at students for whom school systems are already working and toward parents who generally have additional resources. They drain public schools of the students and parental advocates that school systems need (see e.g., Houston, 1993; Raywid, 1992; Witte, 1992). The point of this Guarantee plan is not to take taxpayers' money out of the school system - - the point is to see that the taxpayers' money is working as it should be. If the taxpayers are not getting their money's worth, they should get a fair chance to use the money to get the service they are already paying for.

The proposal's three year, performance guarantee, and sliding scale provisions offer a number of safeguards against the commonly perceived weaknesses of other choice programs.

Because of the **three year** provision:

1. Parents could not use the scholarship voucher just to "escape" the public schools since their children would have to spend at least three years in the public school system before becoming eligible.
2. Principals and teachers would have time to get to know their students and make adjustments in the instruction necessary to meet the outcome standards before a child would be eligible to leave.
3. School staff would have more incentive to get to know and involve parents and to demonstrate to them how their efforts are benefiting their children.

4. There would not be a large outflow of students in any given year to disrupt budgets and school district planning.

Because of the **guarantee** provision:

1. Parents can have more confidence that the schools will be working as hard as they can for their children.

2. Principals and teachers will know exactly what their performance goals are.

3. The accountability of both sending and receiving schools for the achievement of students will increase as both face the loss of clientele.

4. Middle class parents who currently seek out private schools would be more likely to try a public school that guarantees performance, thereby increasing the racial and social class mix of the public school system.

5. Private schools or out-of-district schools that receive students and public funding will be held accountable for performance.

Because of the **sliding scale** provision:

1. The award of scholarship vouchers will be fairer since families that need more to participate will receive a larger scholarship voucher than those with less need.

2. The ability to receive a larger scholarship voucher depending on need increases the opportunity for poor parents to find better schools for their children.

3. The difference between the scholarship voucher and actual district per-pupil cost can remain with the sending school to be used to benefit the remaining students.

Refocus reform on children

The **Three Year - Three Step Performance Guarantee** taps into the basic parental instinct to do what's best for their children. The Guarantee enables parents to protect the rights of their children, and the choices offered serve as a vehicle by which parents can attempt to improve their children's educational lot if they are being failed by the current school.

By ignoring the basic parental instinct to do what's best for their children and focusing on school improvement, proponents of choice have enabled their opponents to control the argument and portray themselves as protecting the institution of public schools, upon which some bestow an almost holy status. But, public education is not necessarily synonymous with public schools. The concept of public education rightfully should be held sacrosanct in our society. Public schools, however, are merely an institution that has held a monopoly in delivering the service of public education. Even when they have failed to educate, public schools have maintained their monopoly and parents, unless they were able to afford private school tuition, have had no other choice but to subject their children to the purgatory of poor public education. When the focus of the choice debate is children and not schools, however, it is harder to argue against choice as a vehicle by which parents can improve their children's education, especially if the current school is failing to educate them.

Even Albert Shanker, head of the American Federation of Teachers, favors choice for low achieving students. Shanker also supports vouchers for private schools for low achieving students, claiming he first proposed it in 1981 and has been reiterating it since 1991. In a letter to the Wall Street Journal, Shanker (1993, p. A11) wrote:

> . . . we ought to provide the opportunity for private schools to educate the youngsters who are total failures in public schools, the ones who can't read or write, are truant and display antisocial behavior. . . . Let's send the ones most in need of help to private schools and pay the full cost of their education. . . . The children with the lowest achievement levels and the highest behavior problems are the ones who need a second chance.

[I should point out, however, that while publicly advocating a voucher system for low achieving students, Mr. Shanker has privately opposed the implementation of the Guarantee proposal described here when it was proposed for the Boston Public Schools. In a letter to then-Mayor Raymond Flynn, Shanker said he found no redeeming features and labeled the proposal "perverse" and "bizarre," as he defended the status quo (personal communication, October 14,

1992). Yet in his 1993 letter, Shanker stated that in the 12 years since he first proposed the idea, no one has taken him up on his challenge to use vouchers to educate low achieving students. Perhaps the reason is that while Mr. Shanker preaches reform, he covertly tries to stop it. He should consider this a public challenge to come to Boston to implement his proposal or this one.]

State vs individual rights

The tensions between the interests of the individual and the state were present at the formation of this nation and have served as the basis of philosophical, political, legislative, and legal arguments ever since. None of us should expect these tensions to end since our form of democracy evolves as these arguments are settled.

Kane has argued that the literature on educational choice has ignored the rights of the individual in educational matters and has

> assumed a one-dimensional model of the individual, a model that resigns to obscurity the concept of the autonomous person whose developing mind and spirit are largely reserved from the authority of the body politic. This attenuated concept of the individual - - so long assumed as to be self-evident, so basic as to be an axiomatic foundation for policy development - - has largely 'misframed' the question of choice. (Kane, 1992, p. 46)

As a result, he concluded:

> The concept of choice evolved during the 1980s less as a result of our national commitment to a democratic model of the individual - - protected by and from public authority - - and more as a by-product of the attempt to redesign the nation's educational organization and structure to make it more responsive to national political and economic priorities. (Kane, 1992, p. 58)

Instead, Kane argues that the intellectual and spiritual development of the individual is too important to leave to the state which acts on purely political and economic reasons, and that it is the fundamental obligation of parents to ensure the proper education of their children.

> The educational task is primarily intellectual and spiritual in nature, and, as such, should be reserved from, rather than subject to, the authority of the state. . . . the question arises as to where such responsibility is properly vested. The answer, quite simply, is that the responsibility for educational choice should rest with those who have parallel obligations in virtually all other areas of children's lives: their parents or guardians. (Kane, 1992, p. 60)
>
> This is not to suggest that the state is precluded from organizing and operating schools. ***Rather it is to assert the right of parents and guardians to oversee the educational destiny of the children in their charge.*** (Kane, 1992, p. 61, emphasis added)

Whether one accepts this line of argument for fully implementing choice or voucher programs in place of the current system, it is compelling where schools are failing children. If parents do nothing but rely on the good intentions of the state, are they then failing in their obligations to their children when they leave them in schools which continue to fail them year after year? Even if one accepts the argument that the state should have priority in regulating education, should it not then also have a reciprocal obligation to provide students who are failing with an education that works? One must question why a state would be so reluctant to allow parents the option to fulfill their obligation to "oversee the educational destiny of their children" by finding schools that work for them.

Support for choice

New York Governor Mario Cuomo has said "It is not government's obligation to provide services, but to see that they're provided" (O'Leary and Beales, 1993, p. 34). In the area of special education, school systems have willingly adhered to this principle. When children with special needs have been unable to receive appropriate treatment and education in their district, private schools have assumed the task, and public school systems have paid the *full* tuition. Many state education agencies like the Massachusetts Department of Education even advocate to ensure that

this option is available to and understood by parents, even in this era of inclusion (An Act Further Regulating Programs For Children Requiring Special Education . . . , 1972.). The recent Supreme Court ruling in the case of *Florence County v. Carter* strengthens the rights of parents to find the best possible education for their child and the obligation of the school district to pay for it (Special Education Report, 1993). It is hard to understand why students should be first labeled and then forced into more costly special education programs before parents are given the option to find another school that might work for them.

A variety of polls show widespread support for choice in public schools among virtually all segments of the population (Elam, Rose, & Gallup, 1993; Choice consensus, 1993; Choice landslide, 1992). Opponents of extending choice to private schools have made much of the failure of recent referenda in Colorado and California, as well as the results of polls that find that people are unwilling to spend taxpayers' money on vouchers for private schools (Elam, Rose, & Gallup, 1993; The Carnegie Foundation for the Advancement of Teaching, 1992). There are, however, polls which support the use of vouchers, and the results cut across the races. (Cohen, 1993; Elam; 1993; Choice landslide, 1992) The polling differences are probably the result of how the question was worded and the poll's methodology. Nonetheless, there appears to be sufficient polling data to support both public school and private school choice positions.

The importance of the wording of the question in a poll is obvious. The question asked in the latest Phi Delta Kappa/Gallup poll was:

> Do you favor or oppose allowing students and parents to choose a private school to attend at public expense? (Elam, Rose, & Gallup, 1993, p. 151)

It is interesting and I believe quite reasonable to speculate that the responses to the following questions, if asked by the pollsters, would be different than the answer to the PDK poll:

> Do you favor or oppose allowing students and parents to choose a private school to attend at public expense ***if the public school is failing to educate the student***?

or

> Do you favor or oppose allowing students and parents to choose a private school to attend at public expense ***if the student has special needs that the public school is failing to address***?

Given the tendency of the American people to help the underdog, I believe the majority of respondents would support such choices. One can only wonder how educators would react if the response to the special education question shown above failed to generate a majority in favor of using specialized private schools to help children with special needs.

Intra-district and inter-district choice

Traditional "liberals" have accepted intra-district public school choice not only as a positive way to improve schools, but also as a way to attract middle class whites to remain in urban systems (Dougherty and Sostre, 1992). Intra-district choice programs are available in at least seven states (Hulsey, 1993). One accepted form is called "controlled choice," a term coined by Michael Alves (1983). Controlled choice programs are designed to ensure racial and ethnic balance but they also are described as a school improvement strategy (Young & Clinchy, 1992). These choice programs are viewed positively despite the fact that they have resulted in complex systems that generally enable those parents empowered by education, time, and - - often - - political connections to take full advantage of the choices available - - arguments often used against "Republican" choice programs.

Inter-district public school choice programs generally run into more obstacles since they are perceived to be "conservative." Some inter-district choice programs, however, are accepted by "liberals." For example METCO, a 27 year old program in Boston and Springfield Massachusetts, targets primarily African-American students, and is ostensibly described as a program to desegregate the suburbs by busing students out of the city to white suburban school districts. This description notwithstanding, it seems clear that African-American parents, and a handful of

Asian and Hispanic parents, choose METCO in great numbers (about 3300 per year) not to promote racial diversity but to find a better education for their children in 38 suburban school systems (Metropolitan Council for Educational Opportunity, 1993). Such programs are also more readily available to socially or politically empowered parents as are the intra-district choice programs noted above (Canellos, 1993; Walsh, 1994).

Inter-district choice programs are becoming increasingly more accepted and are now found in at least ten states according to The Heritage Foundation (Hulsey, 1993). Generally, the number of students permitted to choose schools outside their district are capped, usually as a response to pressure from the state's educational establishment. Further, vouchers for private schools are currently allowed only in Minneapolis and Puerto Rico (Bolick, 1994). The numerical caps and limits on private school choice, in my opinion, prevent the free market forces from fully working as the choice proponents postulate, and as a result, will limit the impact of choice when viewed as a school reform strategy. I predict that later on this limited impact will be used as an argument against the effectiveness of school choice as a school improvement strategy.

Alternative education

Many school systems give students a second chance by operating alternative programs for middle and high school students. Boston, for example, offers a variety of well regarded alternative programs through the public school system. Some of these programs are conducted by private entities such as Action for Boston Community Development and Federated Dorchester Neighborhood House which are under contract to the school system.[2] Choice programs in California, Colorado, Minnesota, Oregon and Washington have a "second chance" feature that enables students to attend alternative programs - - in some cases private - - if they have dropped out or have not been successful in their traditional schools (Nathan, 1993; Dougherty & Sostre, 1992; Young & Clinchy, 1992). Arizona actually allows school systems to identify students as "unable to profit" from the public schools making them eligible for alternative education in a

private school (Special choices, 1993).

The Three Step - Three Year Guarantee goes beyond the traditional alternative schools that most often cater to drop-outs or troubled students who most principals and teachers are at least relieved, if not happy, to see leave their building. In this proposal, everyone for whom the schools are not working, based upon an accepted and objective standard, would be eligible to seek out a school that might work better. No one would be forced to be labeled as "special needs" or "at risk" in order to qualify.

Criticisms addressed

Two criticisms of the Three Year- Three Step Guarantee must be addressed.

High stakes testing as sole criterion. Measuring the achievement of the standard in this case is not subject to the usual criticism of high stakes testing because a student who fails a test or is unable to demonstrate proficiency on some other measure will be offered *more opportunity*, not less. Thus the measurement model is closer to diagnostic as opposed to high stakes selection. In addition, establishing standards and measuring them are becoming commonplace activities in American education. In this case a community can establish any standard that suits its needs or it could adopt standards being set by federal and state governments.

Cheating. Cheating or purposely failing in order to qualify for a scholarship is highly improbable on three grounds: 1. Principals and teachers will have had the opportunity to observe and work with the students for a minimum of three full years and as a result will have long-term records of their performance to counter an obvious failure on the decisive measure(s). 2. It is unlikely that parents would purposely require their children to fail for three years just to get a scholarship voucher to attend another school. 3. It is unlikely that children at the elementary level would be sophisticated enough to execute a false failing strategy.

Summary

The Three Year - Three Step Guarantee is a modified choice proposal that can assist low achieving students most in need of a second chance to get a good education. It is a compromise measure that focuses attention on protecting the rights of children and meeting their educational needs, and not on protecting adults and dysfunctional schools that are failing to educate the children in their care. At the same time, it protects the rights of the state to ensure an educated citizenry. This compromise eliminates the threat of dismantling the public schools posed by extreme choice/voucher programs and reduces greatly the financial consequences involved. In addition, it introduces accountability for performance on the part of the parents and students and the school chosen by them.

Notes

1. Both Chubb and Moe (1990) and Raywid (1992) cite the work of David B. Tyack, *The one best system: A history of American urban education*, (Harvard University Press, 1974) as the source of this commonly used term to describe the unitary form of public education in the United States.

2. Action for Boston Community Development is the city's anti-poverty agency and is separate from city government. Federated Dorchester Neighborhood House is an independent community-based social service agency in the Dorchester neighborhood of the city. For more information about Boston's alternative programs contact Dr. Elliot Feldman, Director of Alternative Programs in the Boston Public Schools.

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